

1 DAVID BURCHARD,
2 CHAPTER 13 TRUSTEE
3 PO BOX 8059
4 FOSTER CITY, CA 94404
5 Tel: (650) 345-7801 Fax: (650) 345-1514
6 Tel: (707) 544-5500 Fax: (707) 544-0475

7 **UNITED STATES BANKRUPTCY COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**

9) Case No.: 11-1-4374AJ13
10 In re)
11) **AMENDED TRUSTEE'S OBJECTION TO**
12) **DEBTOR'S APPLICATION TO MODIFY**
13) **CHAPTER 13 PLAN**
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Debtor.

16 **TO THE UNITED STATES BANKRUPTCY JUDGE, DEBTOR(S)' COUNSEL,**
17 **DEBTOR(S), AND OTHER PARTIES IN INTEREST:**

19 David Burchard, Chapter 13 Trustee ("Trustee"), for the Santa Rosa and San Francisco
20 Divisions of the United States Bankruptcy Court for the Northern District of California, hereby
21 submits the following Amended Objection to Application to Modify Chapter 13 Plan proposed
22 by EVAN LIVINGSTONE for PAULITA P. CABRERA BASTO ("Debtor(s)"). This objection
23 is based upon all pleadings, papers and documents filed herein, together with those matters of
24 which judicial notice has been requested, and any oral argument, which may be presented.

25 The Trustee hereby objects to the Application to Modify Chapter 13 Plan, dated February
26 10, 2015.

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1 The Trustee is unable to verify the basis for the application and Debtor's substantial
2 change in income and/or expenses without Debtor providing the following information:

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4 ☐ Amended Schedules I and J

5 ☐ A signed copy of 20__ Federal Income Tax Returns

6 ☐ Verification of income to substantiate change in plan payments

7 ☒ Other: Creditor IRS has not filed a claim for the priority tax of \$4,044.00 as
8 provided for in the Modified Plan. If this claim is to be paid through the plan
9 Trustee requests a proof of claim be filed.

10 ☒ Proposed plan payments of \$353.00 for a plan term of 55 months are not
11 sufficient to pay remaining secured and administrative claims in full with the
12 addition of the IRS claim.

13
14 Therefore, the Trustee requests that this objection be sustained, Debtor's Application to
15 Modify Chapter 13 Plan be denied, and other relief this Court deems proper.

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17 Dated: May 22, 2015

/s/ David Burchard

DAVID BURCHARD

CHAPTER 13 TRUSTEE

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PAULITA P. CABRERA BASTO
4024 NEW ZEALAND AVE
SANTA ROSA, CA 95407

EVAN LIVINGSTONE
LAW OFFICES OF EVAN LIVINGSTONE
740 FOURTH ST # 215
SANTA ROSA, CA 95404-0000

/s/ NICHOLE SAN JOSE

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